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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Advanced Television Systems)
and Their Impact upon the)
Existing Television Broadcast)
Service)

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MM Docket No. 87-268

REPLY COMMENTS OF HARTFORD PUBLIC ACCESS TELEVISION, INC.
IN THE FOURTH FURTHER NOTICE OF PROPOSED RULEMAKING
AND THIRD NOTICE OF INQUIRY

To The Commission:

Hartford Public Access Television, Inc. submits these reply comments in response to the Fourth Further Notice of Proposed Rulemaking/ Third Notice of Inquiry, FCC 95-315, in the above-captioned proceeding, released August 9, 1995. The Commission seeks comments on under what terms and conditions free over-the-air broadcasting should make a transition from analog to digital technology. Hartford Public Access Television, Inc. urges the Commission to regulate the transition to advanced broadcast television technology ("ATV") in the public interest.

Hartford Public Access Television, Inc. trains residents and representatives of Hartford-based non-profit organizations to create

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informative and educational local programs to benefit the citizens of Hartford.

Our PEG access center transmits this programming on our local cable system, pursuant to the franchise agreement between TCI/Cablevision of Central Connecticut and the Department of Public Utility Control and the federal 1984 Cable Act. Our volunteer producers are associated with a wide range of religious, community, educational, charitable, and other non-commercial, non-profit institutions. These organizations use our access center and the facilities we provide to speak to their memberships and their larger communities and participate in an ever-growing "electronic town hall." We believe that the tremendous resources of the Information Age should be made available to all communities, including those communities that otherwise would have insufficient means to participate in this technological revolution.

The development of ATV may offer the most significant opportunity since the birth of television to make the mass media more responsive to local needs and non-commercial voices. The broadcasting industry, however, sees this as an opportunity to receive \$70 billion worth of federally-owned electromagnetic spectrum for free. The industry wants to use this valuable additional capacity for a number of lucrative subscriber services, including data transmission, communications services and subscription video services. We believe that the spectrum should be used to enhance both the quantity and quality of local educational, political, cultural, public affairs, and non-commercial programming.

This tremendous augmentation of broadcast capacity could easily provide a platform for existing public/educational/governmental and low-power television stations to broadcast local programming; it could also assure a free place for political candidates, quality childrens' programming, "distance learning" programs offered through high schools and universities, and local theater and musical performances. The Commission could impose a license fee approaching fair market value for broadcasters' use of the spectrum, and require that some channel space be put aside for non-commercial purposes. Auctions, quasi-auctions,

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"condominium" and "quasi-common carriage" proposals will permit incumbent broadcasters to have unfettered access to a digital broadcast platform while allowing the federal government to collect much-needed revenue. A portion of the license fees could be used to fund local non-commercial programming on these public interest channels.

We are also concerned that the industry wants to develop ATV under anti-competitive, cartel-like conditions, by initially prohibiting any non-broadcaster from receiving an ATV license. We do not see why this is necessary. Diversity of programming and diversity of ownership have both been long-standing public policy goals of the Commission. Neither is served by imposing this entry barrier on ATV. This limitation will reduce the number of voices on the air, and like other market-entry barriers, will create substantial inefficiencies for potential subscribers and advertisers.

We at Hartford Public Access Television, Inc. urge the Commission to recognize the interests of the educational, charitable, and civic sector as it devises telecommunications policy for the 21st century, and to implement advanced television in a manner that sustains and nurtures what is best in America -- its churches, its schools, its local institutions, and its charitable organizations.

Respectfully Submitted,

A handwritten signature in black ink, reading "Jerry Clapis". The signature is written in a cursive, flowing style.

Jerry Clapis
Executive Director
Hartford Public Access Television, Inc.